

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

In re

CHERYL L. DUARTE

AMERIQUEST MORTGAGE COMPANY }  
MOVANT }  
} Chapter 13  
v. } Case No. 07-11038-WCH  
} }  
CHERYL L. DUARTE, }  
DEBTOR }  
}

**STIPULATION ON FREMONT INVESTMENT & LOAN'S**  
**MOTION FOR RELIEF FROM STAY**

NOW COME the above-captioned parties, by and through their attorneys, and stipulate as follows:

1. The total post-petition arrearage as of August 1, 2007 is **\$2,304.24**. The post-petition arrears consist of one (1) post-petition payment for July 2007 at \$2,125.00 and an escrow shortage of \$179.24.

2. Debtor will make her regular monthly post-petition mortgage payment for August 2007 on or before August 15, 2007. Commencing September 1, 2007 and monthly thereafter, the debtor shall make the regular monthly post-petition payments on the first (1<sup>st</sup>) of each month pursuant to the terms of the Note and Mortgage.

3. In addition to the regular monthly payments, the debtor shall also make **six equal (6)** payments (hereinafter "Stipulation Payments"), on or before the twentieth (20<sup>th</sup>) of each month, commencing August 20th, 2007 in the amount of **\$384.04**, for a total of **\$2,304.24** which will bring the account post-petition current on or before February 15, 2008.

4. The debtor may pre-pay any payments under this agreement. If the debtor fails to make any of the regular monthly post-petition payments or any of the Stipulation payments, the Movant's Motion for Relief from Stay may be granted without hearing by the Court upon the Movant filing an Affidavit of Non-Compliance with the Court after ten (10) days Notice of Default to the debtor by first class mail postage prepaid and to their Attorney, by first class mail postage prepaid, e-mail or via facsimile.

5. All payments should be sent to the following address:

**Ameriquest Mortgage Company  
P.O. Box 51382  
Los Angeles, CA 90051-5682**

6. The terms of this Stipulation shall be NULL and VOID if the case is converted or dismissed and this Stipulation shall automatically become NULL and VOID on February 1, 2008.

Agreed to on this 8<sup>th</sup> day of August 2007.

Respectfully submitted,  
Ameriquest Mortgage Company  
By Its Attorneys

ABLITT & CHARLTON, P.C.

DATED: August 8, 2007

/s/ Brian T. LaManna

Brian T. LaManna  
BBO 657220  
92 Montvale Avenue, Suite 2950  
Stoneham, Massachusetts 02180  
781-246-8995

Respectfully submitted,  
Cheryl L. Duarte  
By Her Attorney

DATED: August 8, 2007

/s/ Joseph G. Foley

Joseph G. Foley  
BBO 564336  
P.O. Box 67397  
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